

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

**A & R ENGINEERING AND TESTING, INC.,**  
**Plaintiff,**

v.

**CITY OF HOUSTON, and KEN PAXTON, in  
his official capacity as Attorney General of  
Texas,**  
**Defendants.**

Case No. 4:21-cv-03577

**DEFENDANT KEN PAXTON'S NOTICE OF APPEAL**

Defendant Ken Paxton, in his official capacity as Attorney General of Texas, hereby appeals to the United States Court of Appeals for the Fifth Circuit from the Court's Order [Dkt. 33] and Order on Temporary Injunction [Dkt. 34] entered on January 28, 2022.

Respectfully submitted.

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*/s/ Wm Sumner Macdaniel*  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that on January 31, 2022, the foregoing *Defendant Ken Paxton's Notice of Appeal* was electronically filed with the Clerk of the Court using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

*/s/ Wm. Sumner Macdaniel*  
WILLIAM SUMNER MACDANIEL  
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